

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

---

SCOTT KOZIAR and MARK KORDUS,

Plaintiffs,

vs.

Case No: 07-C-0577-C

McKEOUGH LAND COMPANY, INC.,

Defendant and Third-Party Plaintiff

vs.

BRAD LILA and TRUMP LAKE, LLC.

Third-Party Defendants.

---

**NOTICE OF MOTION AND MOTION OF PLAINTIFFS, SCOTT KOZIAR AND  
MARK KORDUS, AND THIRD-PARTY DEFENDANT, BRAD LILA, FOR  
DECLARATORY RELIEF**

---

Plaintiffs, Scott Koziar ("Koziar") and Mark Kordus ("Kordus"), and Third-Party Defendant, Brad Lila ("Lila"), by their attorneys, Crivello Carlson, S.C. hereby move the Court, the Honorable Judge Barbara B. Crabb presiding, for Declaratory Relief. This brief is being filed in accordance with the Court's Scheduling Conference held on November 7, 2007 and is for the purpose of obtaining a declaration that the restrictive covenants contained in the respective employment agreements of Koziar, Kordus and Lila with Defendant, McKeough Land Company ("McKeough") are void and unenforceable as a matter of law.

This Motion is supported by Plaintiffs, Mark Kordus and Scott Koziars', and Third-Party Defendant, Brad Lila's, Brief in Support of Motion for Declaratory Judgment and the Affidavit of Mark Kordus.

Dated this 14 day of November, 2007.

CRIVELLO CARLSON, S.C.  
Attorneys for Plaintiffs,  
Scott Koziar and Mark Kordus, and  
Third-Party Defendants,  
Brad Lila and Trump Lake, LLC

BY: 

Joshua B. Levy  
Wisconsin State Bar No. 1017759  
George S. Peek  
Wisconsin State Bar No. 1041648

PO Address:  
710 North Plankinton Avenue, Suite 500  
Milwaukee, WI 53203  
(414) 271-7722 [phone]  
(414) 271-4438 [fax]  
Email: [ccm@milwlaw.com](mailto:ccm@milwlaw.com)